L. S.

BRITISH COLUMBIA.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

* *

NO. 30.

An Ordinance to assimilate the Laws for the Regulation of Pilotage in all parts of the Colony of British Columbia.

[*2nd April*, 1867.]

WHEREAS it is expedient to assimilate the Laws for the Regulation of Pilotage in all parts of the Colony; Preamble.

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

I. "The Pilotage Ordinance, 1866," of the Colony of British Columbia before the Union, and "The Victoria Pilot Act, 1864," of the former Colony of Vancouver Island and its Dependencies, are hereby repealed. Provided however that such repeal shall not affect any rights acquired or any liabilities or penalties already incurred under such Ordinance and Act or either of them, or any remedies or punishments prescribed by such Ordinance and Act or either of them, for enforcing the same, but such remedies and punishments may still for the purpose of such enforcements, but not further or otherwise, be held to be available and capable of imposition as if such Ordinance and Act were still in force. And provided also that such repeal shall not have the effect of reviving any Pilotage Law heretofore repealed. Repeals former Acts.

II. It shall be lawful for the Governor to appoint, and from time to time vary, such persons as he shall deem fitted in that behalf to constitute a Pilot Board, who shall have the charge of all matters and things relating to Pilotage and Pilots, subject to the provisions of this Ordinance. Power to Governor to appoint and vary Pilot Boards,

III. It shall be lawful for the Governor in Council, by any order duly made and passed, from time to time, and at any time, to make and alter such rules, regulations, and by-laws, as such Governor in Council may deem expedient in respect of the following matters, that is to say:— and to make Rules, Regulations, and By-Laws;

(*a*) The Establishment, management, and maintenance, of the Pilot Board, its functions and powers;

(*b*) The duties and jurisdiction of Pilots;

(*c*) The examination, passing, granting or suspension of Certificates and Licenses to Pilots;

(*d*) To examine Masters and Mates of Ships or Vessels belonging to the Mercantile Marine, and to grant to them provisional Certificates of competency to act as Masters or Mates, as the case may be, of any such Ships or Vessels;

(*e*) The exclusion of unlicensed persons acting as Pilots;

(*f*) Declaring, defining, and enforcing the rates of Pilotage and Pilot fees, and the exemptions from Pilotage;

(*g*) The

(*g*) The Vessels and Ships which shall be subject to Pilotage fees;

(*h*) For regulating the persons from whom and to whom Pilotage fees shall be appropriated and paid;

(*i*) For regulating the signals and passing and repassing of Steamboats and other Vessels within the waters of the Colony, and the duties of Pilots and Masters in respect thereto;

(*j*) For regulating the position and claims of Pilots as between themselves;

(*k*) And generally to regulate all such other matters and things whatsoever, in relation to or in connection with Pilots and Pilotage, which the said Governor in Council shall from time to time deem expedient to ordain.

the same to be published in the *Government Gazette* for one month.

IV. Every such rule, regulation, and by-law so made, when published for one calendar month continuously in the *Government Gazette* shall, so far as the same shall not have been in like manner repealed or varied, be deemed to be and have the force of law, and be so recognized in all the Courts of the Colony.

Penalty for breach of provisions of this Ordinance.

V. Any wilful breach or contravention, by any person whomsoever, of any provision or any part of any provision of this Ordinance, or of any rule, regulation, or by-law to be made in pursuance thereof, shall be punishable summarily, upon information before a Magistrate of the Colony, and upon conviction, by a fine not exceeding for a first offence Two Hundred and Fifty Dollars, and for a second offence not exceeding Five Hundred Dollars.

Penalties how imposed.

VI. Every penalty imposed by this Ordinance may, with the costs of conviction be levied by distress and sale of the goods and chattels of any offender, and in any case such goods and chattels shall prove insufficient to satisfy such penalty and costs, then by imprisonment of such offender for any term not exceeding Three Calendar Months, and no warrant of commitment upon a conviction under this Ordinance shall be held to be invalid by reason of any defect if it be therein alleged that the offender has been convicted and there be a good and valid conviction to sustain the same.

Interpretation Clause.

VII. In the construction of this Ordinance the word "Governor" shall mean the Governor of this Colony or other person for the time being administering the Government thereof.

Short Title.

VIII. This Ordinance may be cited for all purposes as "The Pilotage Ordinance, 1867."

Passed the Legislative Council the 27th day of March, A. D. 1867.

CHARLES GOOD, *Clerk.* ARTHUR N. BIRCH, *Presiding Member.*

Assented to, in Her Majesty's name, this 2nd day of April, 1867.

FREDERICK SEYMOUR,
Governor.

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